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Attorneys for Defendant NCO Financial Systems, Inc.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

JEFFREY MOLNAR, et al.,

Plaintiffs,

vs.

NCO FINANCIAL SYSTEMS, INC.,

Defendant.

Case No. 3:13-CV-0131-BAS-JLB

**JOINT MOTION TO CONTINUE
SETTLEMENT CONFERENCE**

Magistrate Judge Jill L. Burkhardt

1 Now comes Defendant, NCO Financial Systems, Inc. (“NCO”), and
2 Plaintiffs, by and through undersigned counsel, hereby jointly agree to
3 rescheduling the settlement conference currently scheduled for May 11, 2015 at
4 9:00 a.m. and request the Court reset the Mandatory Settlement Conference to take
5 place after May 11, 2015. ECF Nos. 127, 138. This Joint Motion is made with
6 respect to the following:
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- 9 1. On November 24, 2014, the Court issued an amended Scheduling Order
10 in this case setting forth in paragraph 7, the setting of a Mandatory
11 Settlement Conference on May 12, 2015 at 1:30 p.m. ECF No. 127.
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- 14 2. By minute order entered on February 2, 2015, the Court reset the date for
15 the Mandatory Settlement Conference to May 11, 2015 at 9:00 a.m. ECF
16 No. 138.
17
- 18 3. NCO informed its insurance carrier’s claims adjuster, Adam Peacock,
19 that his attendance at the May 11, 2015 Settlement Conference was
20 required on March 13, 2015, and again on March 26, 2015.
21
- 22 4. On or about March 18, 2015, the parties attempted a private mediation
23 through JAMS, and were unsuccessful in resolving the Plaintiffs’ claims.
24
- 25 5. On or about April 6, 2015, Mr. Peacock informed counsel for NCO that
26 he had a scheduling conflict and could not attend the Settlement
27
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1 Conference in person on May 11, but could if permitted and agreed,
2 attend by phone.
3

4 6. Counsel for Plaintiff expressed the view that Mr. Peacock's attendance in
5 person would be essential to the conduct of the Settlement Conference,
6 and agreed that it would be in all parties' interests to continue the
7 Settlement Conference to a mutually agreeable date and time.
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10 7. On April 22, 2015, the parties, through counsel, contacted the Court to
11 request a new date be set for the scheduling conference after May 12,
12 2015 (but not on May 13, 14, 21, 26, 28, or June 1).
13

14 8. The parties continue their efforts to resolve some of the Plaintiffs' claims
15 through negotiations by counsel.
16

17 Based on the foregoing, IT IS HEREBY STIPULATED AND AGREED, by
18 and through undersigned counsel, that the Mandatory Settlement Conference set
19 for May 11, 2015 at 9:00 a.m. shall be continued, to a date convenient for the
20 Court.
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22
23
24 Dated: April 23, 2015

SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.C.

25 /s/ Michael D. Slodov

26 *Admitted pro hac vice*

27 Attorney for Defendant

28 NCO Financial Systems, Inc.

1 Dated: April 23, 2015

Edelson PC

2
3 s/ J. Dominick Larry
4 J. Dominick Larry
5 *Admitted pro hac vice*
6 Attorney for Plaintiffs
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SIGNATURE CERTIFICATION

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to J. Dominic Larry, counsel for Plaintiffs, and that I have obtained Mr. Larry's approval of their electronic signature to this document.

Dated: April 23, 2015

SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.C.

/s/ Michael D. Slodov

Admitted pro hac vice

Attorney for Defendant

NCO Financial Systems, Inc.

PROOF OF SERVICE

I HEREBY CERTIFY that on April 23, 2015, I served the above and foregoing by causing a true and accurate copy of such paper to be filed and served on all counsel of record via the Court's CM/ECF electronic filing system.

By: /s/Michael D. Slodov

Admitted pro hac vice

Attorneys for NCO Financial Systems, Inc.